

ASSEMBLY, No. 477

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JAY WEBBER

District 26 (Essex, Morris and Passaic)

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

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District 11 (Monmouth)

Co-Sponsored by:

Assemblymen Wirths, Space and Simonsen

SYNOPSIS

Requires Commissioner of Community Affairs to compile and annually update list of all unfunded State and federal mandates on municipalities and counties.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 8/25/2020)

1 AN ACT requiring the Commissioner of Community Affairs to
2 compile and maintain a list of unfunded mandates of the State
3 and federal governments on municipalities and counties and
4 supplementing chapter 27D of Title 52 of the Revised Statutes.

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6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

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9 1. a. The Commissioner of Community Affairs, not later than
10 the first day of the seventh month next following the enactment of
11 P.L. , c. (C.) (pending before the Legislature as this bill)
12 shall compile and post on the web page of the Department of
13 Community Affairs a list of all ongoing mandates required by the
14 State and by the federal government on municipalities and counties
15 for which funding to pay the entire cost thereof has not been
16 provided by the State or by the federal government, as appropriate.
17 The list shall also contain a good faith estimate of the cost to
18 counties or municipalities, as appropriate, of compliance with the
19 mandate.

20 b. The commissioner shall annually update and post on the
21 department's web page not later than July 1 of each calendar year
22 the list required pursuant to subsection a. of this section.

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24 2. This act shall take effect immediately.

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STATEMENT

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29 This bill would require the Commissioner of Community Affairs
30 to prepare a list, and to annually update that list not later than July 1
31 of each calendar year, of all ongoing mandates required by the State
32 and by the federal government on municipalities and counties for
33 which funding to pay the entire cost thereof has not been provided
34 by the State or by the federal government, as appropriate. The list
35 must also contain a good faith estimate of the cost to counties or
36 municipalities, as appropriate, of compliance with the mandate.
37 The bill also requires that the list, and the annual update of the list,
38 be posted on the department's web page.

39 The cost of unfunded mandates imposed by the State and by the
40 federal government on counties and municipalities are ultimately
41 borne by local property taxpayers through the payment of their
42 property tax bills.

43 While the voters of the State approved an amendment to the New
44 Jersey Constitution in November, 1995, that effectively rendered
45 unenforceable any provision of a law enacted on and after January
46 17, 1996, and any rule or regulation issued pursuant to a law
47 originally adopted after July 1, 1996, which does not authorize
48 resources, other than the property tax, to offset the additional direct

1 expenditures required for the implementation of the law or rule or
2 regulation (subject to certain constitutional exceptions), that
3 constitutional amendment does not affect mandates of the federal
4 government, nor does it affect mandates imposed by the State prior
5 to those constitutional dates.

6 In order for the Legislature to determine the true financial effect
7 of existing mandates on the State's property taxpayers, and how to
8 mitigate those costs, a compilation of those mandates, both State-
9 and federally-imposed, must be undertaken and produced for public
10 inspection and discussion.